

NOV 16 2005

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

James A. McDevitt
United States Attorney
Eastern District of Washington
Jared C. Kimball
Assistant United States Attorney
Post Office Box 1494
Spokane, WA 99210-1494
Telephone: (509) 353-2767

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID SIDWELL,
white male,
dob: 10/27/1949
last known address:
14 Orillia Park,
Red Deer, Alberta, Canada,
T4N 5A6

and,

BRIAN HALL,
white male,
dob: 10/26/1966
last known address:
33465 Hawthorne Avenue,
Abbotsford, British Columbia,
Canada,
V2S 1B7

Defendants.

CR-05-184-WFN

SUPERSEDING
INDICTMENT

Vio: 21 U.S.C. § 963
Conspiracy to Import
Marijuana (Count 1)

21 U.S.C. § 846
Conspiracy to Distribute
Marijuana (Count 2)

31 U.S.C. § 5332
Attempted Bulk Cash
Smuggling (Count 3)

18 U.S.C. § 1956(h)
Conspiracy to Launder
Monetary Instruments
(Count 4)

The Grand Jury Charges:

COUNT 1

That beginning on a date unknown to the Grand Jury, but at least by on or
about May 1, 2002, until on or about April 30, 2004, in the Eastern District of

SUPERSEDING INDICTMENT - 1

P511110jm.JKH

1 Washington, and elsewhere, BRIAN HALL and DAVID SIDWELL, the
2 Defendants herein, did knowingly and intentionally combine, conspire,
3 confederate and agree together and with other persons, indicted and unindicted,
4 both known and unknown to the Grand Jury, to commit the following offense
5 against the United States, to wit: Importation of 1000 or more kilograms of
6 Marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 952 and
7 960(b)(1), all in violation of 21 U.S.C. § 963.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
COUNT 2

That beginning on a date unknown to the Grand Jury, but at least by on or
about May 1, 2002, until on or about April 30, 2004, in the Eastern District of
Washington, and elsewhere, BRIAN HALL and DAVID SIDWELL, the
Defendants herein, did knowingly and intentionally combine, conspire,
confederate and agree together and with other persons, indicted and unindicted,
both known and unknown to the Grand Jury, to commit the following offense
against the United States, to wit: Distribution of 1,000 Kilograms or More of
Marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. § 841, all
in violation of 21 U.S.C. § 946.

COUNT 3

That on or about February 17, 2003, in the Eastern District of Washington,
and elsewhere, BRIAN HALL and DAVID SIDWELL, the Defendants herein,
with the intent to evade a currency reporting requirement under 31 U.S.C. § 5316,
did commit the following offense against the United States, to wit: Bulk Cash
Smuggling, by knowingly concealing more than \$10,000 in United States
currency, specifically, \$184,570, in a conveyance or article of luggage, to wit: a
backpack, and did attempt to transfer and transport such currency from a place
within the United States, that is, the Eastern District of Washington, to place

1 outside the United States, that is, Canada, all in violation of 31 U.S.C. § 5332 and
2 18 U.S.C. § 2.

3
4 COUNT 4

5 That on or about and between May 1, 2002, through April 30, 2003, in the
6 Eastern District of Washington, and elsewhere, BRIAN HALL and DAVID
7 SIDWELL, the Defendants herein, did knowingly and intentionally combine,
8 conspire, confederate and agree with each other and other persons, indicted and
9 unindicted, and both known and unknown to the Grand Jury, to commit the
10 following offense against the United States, to wit: Laundering monetary
11 instruments by the knowing and intentional transport and transfer of funds, that is,
12 United States Currency, from a place inside the United States, that is, the Eastern
13 District of Washington, to a place outside the United States, that is, Canada, with
14 the intent to promote the carrying on of specified unlawful activity, specifically,
15 the Importation and Distribution of Marijuana, in violation of 21 U.S.C. § 952 and
16 § 841 and Conspiracy to Import and Conspiracy to Distribute Marijuana, in
17 violation of 21 U.S.C. § 963 and § 846, knowing that the funds involved in the
18 transportation represented the proceeds of some form of unlawful activity and
19 knowing that such transportation was designed in whole or in part to avoid a
20 transaction reporting requirement under state or federal law, in violation of 18
21
22
23
24
25
26
27
28

1 U.S.C. § 1956(a)(2), 31 U.S.C. §§ 5316 and 5332, all in violation of 18 U.S.C. §
2 1956(h) and 18 U.S.C. § 2.

3
4
5 DATED this 16th day of November, 2005.

6
7 A TRUE BILL

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Foreperson


James A. McDevitt
United States Attorney


Jared C. Kimball
Assistant United States Attorney